

Sixth Appellate District

San Jose, California

MONDAY, JULY 16, 2001

(no minute approved orders)

TUESDAY, JULY 17, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk. Counsel have waived the presence of Justice Elia and stipulated that he may listen to the audio tape of the oral argument.

H021045 PEOPLE v. SMITH

Cause called and argued by Eric Multhaup appearing for Appellant and by Violet Lee, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

H021620 PEOPLE v. OBIACORO

Cause called and argued by Maureen Fox appearing for Appellant and by Violet Lee, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

H020213 PEOPLE v. STEVENS

Cause called and argued by Stephen Donovan appearing for Appellant and by Violet Lee, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Mihara, J.; and Judy Son, Deputy Clerk. Counsel have waived the presence of Justice Elia and stipulated that he may listen to the audio tape of the oral argument.

H021108 IN RE TIMOTHY W., A MINOR

Cause called and argued by Edward Mahler appearing for Appellant and by Aileen Bunney, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California      128  
Sixth Appellate District  
San Jose, California

Tuesday, July 17, 2001 (continued)

H021864    IN RE DAVID S., A MINOR

Cause called and argued by Brian Hong appearing for Appellant and by Kathleen Curler, Certified Law Student and Catherine Rivlin, Deputy A.G., appearing for Respondent. Cause ordered submitted.

H021398    KLA-TENCOR CORP. v. SCHLUMBERGER TECHNOLOGIES, INC., et al.

Cause called and argued by Richard Nelson appearing for Appellants and by Chris Scott Graham appearing for Respondent. Cause ordered submitted.

H021410    SCHLUMBERGER TECHNOLOGIES, INC. v. RHODES, et al.

Cause called and argued by Richard Nelson appearing for Appellant and by Chris Scott Graham appearing for Respondents. Cause ordered submitted. Court adjourns.

H020332    CARTER, et al. v. DUDLEY

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)  
Filed July 17, 2001

H021218    GILBERT, et al. v. GREMMINGER; IPC INTERNATIONAL, INC., et al.

The judgment is affirmed. Respondents shall recover their costs on appeal. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)  
Filed July 17, 2001

H021549    PEOPLE v. YNIGUEZ

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 17, 2001

Sixth Appellate District

San Jose, California

WEDNESDAY, JULY 18, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and S. Nasson, Deputy Clerk.

H017310 PEOPLE v. VARGAS

Cause called and argued by Kathy Chavez appearing for Appellant and by John Vance, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

Court adjourns.

H021200 PEOPLE v. PADILLA

The order revoking probation is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 18, 2001

H021618 PEOPLE v. HUDSON

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 18, 2001

H018009 AVANT! CORPORATION v. SILVACO INTERNATIONAL, INC., et  
al.; SHAWN HAILEY

By the Court\*:

Appellants' petition for rehearing is denied.  
Filed: July 18, 2001

\*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and  
Mihara, J.

Sixth Appellate District

San Jose, California

THURSDAY, JULY 19, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Mihara, J.; and S. Nasson, Deputy Clerk. Counsel have waived the presence of Justice Elia and stipulated that he may listen to the audio tape of the oral argument.

H018866 PEOPLE v. DANIELS, et al.

Cause called and argued by Sara Ruddy appearing for Appellants and by Allan Yannow, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and Jane F. Varize, Deputy Clerk. Counsel have waived the presence of Justice Elia and stipulated that he may listen to the audio tape of the oral argument.

H021052 PEOPLE v. VINDIOLA

Cause called and argued by Tara Maria Mulay appearing for Appellant and by John A. Gordnier, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021237 PEOPLE v. HUDDLESTON

Cause called and argued by Jill A. Fordyce appearing for Appellant and by Eduardo Robles, Certified Law Student, appearing for Respondent. Cause ordered submitted.

H020857 PEOPLE v. PEREZ

Cause called and argued by Maureen L. Fox appearing for Appellant and by William M. Kuimelis, Deputy Attorney General, appearing for Appellant. Cause ordered submitted.

In The Court Of Appeal Of The State Of California      131  
Sixth Appellate District  
San Jose, California

Thursday, July 19, 2001 (continued)

H020014 FAZZIO, JR. v. DORSEY, et al.

Cause called and argued by Kerri A. Johnson appearing for Appellant and by Daniel W. Ballesteros appearing for Respondents. Cause ordered submitted. Court is adjourned.

H021914 MARRIAGE OF BEST

The judgment is affirmed. The parties shall bear their own costs on appeal. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 19, 2001

H021699 PEOPLE v. RAMOS

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 19, 2001

H021073 PEOPLE v. PIERCE

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)  
Filed July 19, 2001

FRIDAY, JULY 20, 2001

H020064 PEOPLE v. PALACIO, et al.

We modify the judgments by striking the enhancements imposed on each defendant under section 186.22 (criminal street gang) and section 12022.53 (discharging a firearm). We further modify the judgments to state that each defendant is entitled to 471 days of credit, as calculated above. As so modified, the judgments are affirmed. The clerk of the superior court is directed to amend the abstract accordingly and submit an amended abstract to the Department of Corrections. (not published)  
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)  
Filed July 20, 2001

In The Court Of Appeal Of The State Of California      132  
Sixth Appellate District  
San Jose, California

Friday, July 20, 2001

H021506 PEOPLE v. MELENDEZ

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)  
Filed July 20, 2001

H020667 PEOPLE v. FLEMING

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)  
Filed July 20, 2001

H022103 DEPT. OF FAMILY & CHILDREN'S SERVICES v. EDWARD G.

The order appealed from is affirmed. (not published)  
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)  
Filed July 20, 2001